REMARKS

This is a full and timely response to the non-final Office Action mailed May 9, 2003. Reconsideration in light of the above amendments and following remarks are courteously requested. Because August 9 fell on a Saturday, Applicant's response on the following Monday, August 11, 2003 is believed to be timely filed without need for an extension of time. Should this Application require any fee or extension of time, however, please consider this as a petition for such extension and as authorization to debit Deposit Account No. 50-2091 for such fees as may be required to prevent abandonment of this application.

Claims 1-4, 6-11, 13-16 and 18-22 are now pending in the application, with claims 1, 7 and 15 being independent claims. Claims 5, 12 and 17 have been canceled. No new matter is believed to have been added.

The Office Action rejected all of the prior-pending claims under Sections 102(e) and 103, citing U.S. Patent No. 6,053,736 ("Huffman") and/or U.S. Patent No. 6,170,014 B1 ("Darago") alone and in combination with various other references. Each of the rejections is addressed herein.

Claims 1 and 7

The Office Action rejects claims 1, 7, and 11 under 35 U.S.C. § 102(e), citing the Huffman reference. Applicant respectfully traverses the rejection in that the cited reference fails to disclose each and every element of the amended claims.

The Huffman reference describes a training system for AWACS weapons directors that allows trainees to select from a number of training modes available on a single specialized console (see col. 2, lines 25-26). The reference emphasizes that the system described therein is a single-platform multi-mode system (col. 2, lines 5-6 and 46-48) that provides multiple functionalities in a single device.

In contrast to the Huffman reference, claim 1 recites *a content-providing system for presenting a flight simulator program to a user operating a client computer on a digital network.* Rather than integrating training features into a single specialized platform where a user can access the simulation from a student console (as described in the Huffman reference), claim 1 describes a system whereby a gateway establishes a connection between a client portion and a server portion such that primary processing for said flight simulator takes place at said server portion, and such that interface updates are processed at said client portion. Although the Office

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Action cites column 5, lines 7-12 of the Huffman reference as describing the separation of processing between the host computer 16 and the consoles 11, this language fails to disclose at least the element of a gateway or of establishing a connection between client and server portions of the application via a gateway as recited in claim 1. Similarly, the reference fails to describe the step of *establishing a connection between the client system and the server program across a digital network via said gateway*, as recited in independent claim 7. Indeed, the Huffman reference makes no mention of a gateway whatsoever. Further, because Huffman describes a single-platform system, there would be no motivation or suggestion to incorporate a gateway capable of establishing a connection between client and server portions of the flight simulator program that are separated by a digital network.

Still further, each of the independent claims have been amended to recite that the server program/application comprises executable code that is based upon executable code used in an actual aircraft component. The Office Action acknowledges (in paragraph 7) that this element is not found in the Huffman reference. Applicant contends that this element is not found in any other reference of record, as described more fully below.

Claims 15-16 and 20

The Office Action rejects claims 15-16 and 20 under 35 USC § 102(e), citing the Darago reference. Applicant respectfully traverses the rejection in that the cited reference fails to disclose each and every element of the amended claims. In particular, the cited reference does not expressly or impliedly disclose *a gateway configured to provide access between a client application and a copy of a server application executing on one of a plurality of card processors via a network, wherein said access is based upon authentication of a credential provided from said client computer*, as now recited in amended claim 15. Further, the reference is silent as to a server application that comprises *executable code that is based upon executable code used in an actual aircraft component*, as recited in amended claim 15. Reconsideration is respectfully requested.

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Section 103 Rejections

The Office Action rejects each of the remaining prior-pending claims under various combinations of references. As a preliminary matter, Applicant respectfully contends: (1) because each of the independent claims contain elements that are not disclosed in the prior art of record; each of the dependent claims are patentable *a fortiori*; (2) because each of the independent claims contain elements (e.g. a gateway and server-side code based upon code used in actual aircraft components) that are not disclosed in any reference, even the combinations of the references fail to disclose the invention as claimed; and (3) none of the combinations of art suggested in the Office Action contain a proper suggestion or motivation to combine the cited references. While it is not necessary that the motivation to combine the references come from the cited reference, it is well-settled that the suggestion to combine must be explicitly set forth on the record using objective evidence. In the present case, the motivations to combine (e.g. "to provide intellectual property licensing enforcement", "to provide a more accurate and realistic simulation of real avionics equipment", and "to provide a standardized network for providing interactive simulation of aircrafts...") have been provided by Applicant's disclosure. None of these benefits are contemplated or available from any of the cited references; it is only by using Applicants own teaching and the benefit of hindsight that such benefits become realizable. In view of the foregoing, it is not necessary at present to further address the particularities of each Section 103 rejection. Applicant does not consent to any of the rejections, however, and expressly reserves the right to dispute the rejections at a later date.

Nevertheless, Applicant would like to address the Section 103 rejections of claims 5-6, 11-14 and 17-18, which relate to code derived from an actual aircraft component. The Office Action rejects claims 5-6 and 11-14, citing Huffman in view of US Patent No. 6,170,014 ("Lin"), and rejects claims 17-18, citing Darago in view of Lin. Applicant respectfully further traverses these rejections in that the Lin reference does not describe the missing elements of the amended independent claims. In particular, the Office Action cites col. 8, line 31 and FIG. 2 of Lin as disclosing the use of code derived from an actual aircraft component in a simulation environment. From the text at col. 1, lines 40-46, however, it is apparent that FIG. 2 of Lin relates to an actual aircraft system, and not to a simulator at all. Similarly, the textual portion of the Lin reference (col. 8, line 31) cited in the Office Action fails to anticipate Applicant's claim elements. The cited language merely contains the words "a) Flight Management System

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(FMS)", without further elaboration. As described below, this language is not referring to a server application comprising executable code that is based upon executable code used in an actual aircraft component, but rather to the actual CDNU itself.

In contrast to the invention as presently claimed, the Lin reference is primarily concerned with a "CDNU Trainer Interface Unit" (CTIU) that allows a control display navigation unit (CDNU) to plug into and communicate with a trainer system. This is apparent throughout the text of the disclosure, which is concerned primarily with cable and bus interfacing, etc. In column 13; for example, the Lin reference describes the use of "off the shelf" MIL-STD-1553B network boards to allow the CTIU to communicate with an actual CDNU. These boards are not processing cards as described in the present disclosure, but rather relate to interface cards that support military-standard communications protocols for devices such as CDNUs. The presently claimed invention is distinguishable from Lin at least in that Lin does not disclose a server application that communicates with a client application located across a network and that comprises executable code that is based upon executable code used in an actual aircraft component. Accordingly, the Lin simulator requires that an actual CDNU (which is a very expensive and highly specialized device) be purchased and physically present at the trainer system to support communication with the CTIU via the MIL-STD-1553B bus. The present invention is not so limited, and therefore provides a significant advantage over the Lin system.

In view of the foregoing, reconsideration and withdrawal of the § 103 rejections is respectfully solicited.

Conclusion

Based on the above, independent claims 1, 7 and 15 are patentable over the citations of record. The dependent claims are also submitted to be patentable for the reasons given above, and because each recites features which are patentable in their own right. Applicant submits that the present application is in condition for allowance. Favorable reconsideration and withdrawal of the objections and rejections set forth in the above-noted Office Action, and an early Notice of Allowance are requested.

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If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the below-listed number.

Respectfully submitted on behalf of assignee HONEYWELL INT'L. INC.,

Dated _August 11, 2003_

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